REMARKS

Claims 1 to 17 and 20 to 36 are the pending, of which Claims 1, 4, 7, 12, 17, 24, 25, 28 and 31 are independent. Reconsideration and further examination are respectfully requested.

By the Office Action, Claims 1 to 17 and 20 to 36 are rejected under 35 U.S.C. §101. Claims 1 to 17 and 20 to 22 are rejected under 35 U.S.C. § 102(e) over U.S. Publication No. 2004/0103297 (Risan). Reconsideration and withdrawal of the rejections are respectfully requested.

With regard to the 35 U.S.C. § 101 rejection, the Office Action contends the claims fail to provide a practical application that produces tangible results. With respect to the independent claims, the Office Action contends that mapping/filtering is not a tangible, and therefore the claims do not produce a tangible result.

In response, reference is respectfully made to MPEP § 2106, which states that there is no requirement to change articles or materials to a different state or thing, and that claimed subject matter sets forth a practical application if it produces a "real-world result". By way of a non-limiting example, the claims of the present application have practical application, *inter alia*, in providing a uniform display of metadata associated with a plurality of media files, so that a user sees the same type of metadata in the same place in a user interface for each experienced media file. Claim 1, for example, associates metadata attributes with each media file of a plurality of media files, and maps each associated metadata attribute to a respective predetermined location. In so doing, by virtue of the steps recited in Claim 1, each of the associated metadata attributes appears at its respective predetermined location in a user interface for each of the media files in the plurality. It is submitted that the claimed subject matter has

practical application and produces a tangible result, and further that the subject matter claimed in each of the claims of the present application is statutory under 35 U.S.C. § 101. Reconsideration and withdrawal of the 35 U.S.C. § 101 are respectfully requested.

Turning to the art rejection, Claim 1 recites a system for providing media content in a network. The system comprises one or more servers configured to generate an interface at a site on the network for display on a user computer. The one or more servers are further configured to define a set of metadata attributes relating to media files to be displayed in specific locations in the interface, compile a plurality of media files for use with the interface, associate metadata attributes from the set of metadata attributes with each of the plurality of media files, and map each of the associated metadata attributes to a respective predetermined location in the interface, so that in the interface for the user each of the associated metadata attributes appears at its respective predetermined location in the interface for each media file of the plurality of media files.

Risan fails to teach or to suggest each and every one of the features of the claimed invention, particularly as regards providing media content in an interface displayed to a user, such that metadata attributes are associated with a plurality of media files and mapped to specific locations in the interface, each of the associated attributes being mapped to a respective predetermined location in an interface for the user so that in the interface for the user each of the associated metadata attributes appears at its respective predetermined location in the interface for each of the media files.

Risan focuses on restricting a user's play of media file contents using a media player. Risan uses customizable user interfaces, referred to as skins, that limit the operations that a user

can perform during playback of the media file, and uses a device driver that prohibits saving/recording media content during playback. As shown in Figure 5B, to receive media files for playback, a user sends a playlist received from a web server to the web server. A copyright compliance module executing on the user's machine controls the user's access to the media file content using a media player. Risan allows the user to select media titles to create customized play lists.

As can be seen from the above description, and in stark contrast to the invention as presently claimed, the disclosure of Risan is directed to a different problem and solution than that described and claimed in the instant application, and cannot be said to teach, suggest or disclose the claimed limitations of providing media content in an interface displayed to a user, such that metadata attributes are associated with a plurality of media files and mapped to specific locations in the interface, each of the associated attributes being mapped to a respective predetermined location in an interface for the user so that in the interface for the user each of the associated metadata attributes appears at its respective predetermined location in the interface for each of the media files. At least the aforementioned claimed limitations are missing from Risan, and thus Risan cannot act as a proper §102 reference alone, nor does it render any of the claims obvious alone or in combination with any other reference of record.

In view of the foregoing, it is submitted that Claim 1 (and the claims that depend therefrom) should be patentable over Risan. In addition, Claims 4 and 24 (and the claims that dependent therefrom) should be patentable over Risan for at least the same reasons.

Claims 25, 28 and 31 should be patentable over Risan for at least the reasons discussed above. Furthermore, Claims 25, 28 and 31 each recite an interface for display on a user

computer, which interface comprises a region to display media content of a plurality of media files, selectable indicia corresponding to one or more playlists, a region to display indicia of each of said plurality of media files identified by a selected one of said playlists, and a region to display indicia of an autoplay function configured to control an order in which each of said plurality of media files identified by a selected one of said playlists is to be experienced using said interface. In addition, Claim 31 authenticates a user's authorization to access certain media content, and filters the plurality of media files based on the user's authorization to access certain media content such that the user interface for the user includes selectable indicia for only those media files corresponding to the certain media content. Nothing in the applied art teaches, suggests or discloses these additional features.

Paragraph 91 of Risan cited by the Office Action indicates that a media content play list can include a random media content delivery choice that the user of client computer system 210 can transmit to web server 250 to request delivery of the media content in a random manner. A playlist that includes an indication that the media content is to be delivered to the client computer in a random manner is not the same as a user interface region to display indicia of an autoplay function to control an order in which media files identified by a playlist are to be experienced using the interface, let alone a user interface which comprises a region to display media content of a plurality of media files, selectable indicia corresponding to one or more playlists, a region to display indicia of each of said plurality of media files identified by a selected one of said playlists, and a region to display indicia of an autoplay function configured to control an order in which each of said plurality of media files identified by a selected one of said playlists is to be experienced using said interface.

Paragraph 63 of Risan, cited by the Office Action, merely describes using a device driver to disable unauthorized saving or recording of the media files, which is clearly not the same as authenticating a user's authorization to access certain media content, and filtering the plurality of media files based on the user's authorization to access certain media content such that the user interface for the user includes selectable indicia for only those media files corresponding to the certain media content.

In view of the above, since the applied art fails to teach, suggest or disclose each and every one of the elements claimed in Claims 25, 28 and 31, it is submitted that Claims 25, 28 and 31 (and the claims that depend therefrom) should be patentable over the applied art.

Claim 7 recites a method of providing media content to a plurality of users over a network. The method comprises the steps of compiling a playlist that contains one or more unique identifiers which identify one or more media files, and determining whether a user-selectable autoplay function is engaged for a given one of the plurality of users. In a case that the autoplay function is determined to be engaged, a sequence in which the user is to experience media content corresponding to the one or more media files is determined based on an ordering of the unique identifiers in the playlist. In a case that the autoplay function is determined to be disengaged, the sequence in which the user is to experience media content corresponding to the one or more media files is determined based on input from the user without regard to the ordering of the unique identifiers in the playlist.

Risan fails to teach, suggest or disclose at least the claimed features of a user-selectable autoplay function, determining whether the user-selectable autoplay function is engaged for a given one of the plurality of users, determining a sequence in which the user is to experience

media content corresponding to the one or more media files, which are identified by unique identifiers contained in a playlist, based on a determination of whether or not the autoplay function is engaged, such that in a case that the autoplay function is determined to be engaged the sequence is based on an ordering of the unique identifiers in the playlist, and in a case that the autoplay function is disengaged the sequence is based on input from the user without regard to the ordering of the unique identifiers in the playlist.

In view of the above, since the applied art fails to teach, suggest or disclose each and every one of the elements claimed in Claim 7, it is submitted that Claim 7 (and the claims that depend therefrom) should be patentable over the applied art.

In view of the foregoing, the entire application is believed to be in condition for allowance, and such action is respectfully requested at the Examiner's earliest convenience.

The Applicant respectfully requests that a timely Notice of Allowance therefore be issued in this case. Should matters remain which the Examiner believes could be resolved in a further telephone interview, the Examiner is requested to telephone the Applicant's undersigned attorney.

In this regard, Applicant's undersigned attorney may be reached by phone in California (Pacific Standard Time) at (714) 708-6500. All correspondence should continue to be directed to the below-listed address.

Appl. No.: 10/670,099
Amendment And Response To Office Action Filed With RCE

Docket No.: 085804 . 012901

The Commissioner is hereby authorized to charge any required fee in connection with the submission of this paper, any additional fees which may be required, now or in the future, or credit any overpayment to Account No. 50-2638. Please ensure that the Attorney Docket Number is referred when charging any payments or credits for this case.

Respectfully submitted,

Date: December 19, 2006

Carole A. Quinn
Reg. No. 39,000
Email: quinnc@gtlaw.com
Phone: (714) 708-6500

Customer Number 32361
GREENBERG TRAURIG, LLP
Met Life Building
200 Park Avenue, 20th Floor
New York, New York 10166
Phone: (212) 801-9200
Fax: (212) 801-6400

NY 238247309